UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COMMODITY FUTURES TRADING COMMISSION,

Case No. 23-CV-3121

Plaintiff,

- against -

Hon. Carol Bagley Amon

FISHER CAPITAL LLC, AMS CONSULTING SOLUTIONS LLC, and ALEXANDER SPELLANE a/k/a "Alexander Overlie",

Defendants.

Tendants.

NOTICE OF MOTIONS

PLEASE TAKE NOTICE that upon the pleadings in this action and all prior proceedings had herein, defendants Fisher Capital LLC, AMS Consulting Solutions LLC, and Alexander Spellane (collectively, "Defendants"), will move this Court on December 1, 2023, before the Honorable Carol Bagley Amon, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), and 28 U.S.C. § 1404(a), for dismissal of the Complaint (Dkt. 1) for failure to state a claim for relief, with prejudice, and to transfer venue to the Central District of California, and granting Defendants such other relief that this Court deems just and proper.

Dated: September 15, 2023

Respectfully submitted,

By: /s/ Alexander F. Porter

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